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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)**

IN RE: BEXTRA AND CELEBREX) MDL CASE NO.: 05-CV-1699
MARKETING SALES PRACTICES AND)
PRODUCT LIABILITY LITIGATION)

ACQUAROLE, et al.,) CASE NO. CGC-06-449463
Plaintiffs,) MDL Case No. 06-2392 CRB
vs.)
PFIZER, INC., et al.) STIPULATION AND ORDER OF
Defendants.) DISMISSAL WITH PREJUDICE
) AS TO PLAINTIFF ROBERT ACQUAROLE
)
)
)
)

COME NOW, Plaintiff ROBERT ACQUAROLE and Defendants PFIZER, INC., et al., by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule

41(a), and hereby stipulate to the dismissal of Plaintiff ROBERT ACQUAROLE from this action, with prejudice, each side bearing its own attorney's fees and costs.

Respectfully submitted,

Dated: September 24, 2009

KABATECK BROWN KELLNER LLP

By:

Brian S. Kabateck, Esq.

Attorneys for Plaintiff ROBERT ACQUAROLO

Dated: October 27, 2009

DLA PIPER LLP

Bv:

/s/

Matthew A. Holian

Matthew P. Horan
Attorney for Defendants PFIZER, INC., et al.

ORDER

**PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS
SO ORDERED.**

Dated: OCT 29 2009

Honorable Charles R. Breyer
United States District Court